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RUEHNE/AMEMBASSY NEW DELHI 2238
RUEHOT/AMEMBASSY OTTAWA 1391
RUEHUL/AMEMBASSY SEOUL 4915
RUEHTC/AMEMBASSY THE HAGUE 3424
RUEHKO/AMEMBASSY TOKYO 2499
RUEHUM/AMEMBASSY ULAANBAATAR 0099
RUEHWL/AMEMBASSY WELLINGTON 3076
RUEHBAD/AMCONSUL PERTH 1134
RUEHHK/AMCONSUL HONG KONG 2968
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RHEHNSC/NSC WASHDC
RHEFDIA/DIA WASHINGTON DC

C O N F I D E N T I A L SECTION 01 OF 03 JAKARTA 001758

SIPDIS

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TAGS: [PGOV](#) [KJUS](#) [ID](#)

SUBJECT: MUNIR CASE -- NOOSE STEADILY TIGHTENS ON ACCUSED
MASTERMIND

REF: A. JAKARTA 1679

[1](#)B. JAKARTA 1252

[1](#)C. (07) JAKARTA 163

Classified By: Pol/C Joseph L. Novak, reasons 1.4(b+d).

[1](#)1. (C) SUMMARY: A key witness in the trial involving the alleged mastermind behind the October 2004 murder of human rights activist Munir Thalib directly linked the National Intelligence Agency (BIN) to the murder in September 16 testimony. This witness also provided compelling evidence tying the accused, former BIN Deputy Muchdi Purwopranjono, to the conspiracy. Two key BIN witnesses who reportedly could link Muchdi directly to the murder failed to appear and will be called again. In other September 16 events, Suciwati, Munir's widow, coolly faced sharp cross-examination.

[1](#)2. (C) SUMMARY (Con'd): The Muchdi case and its revelations are a landmark, serving to help connect the dots of many human rights violations. The proceedings could potentially lead, for example, to prosecution of former BIN chief Hendropriyono and possibly even shed new light on the 1997-98 disappearances of student activists. END SUMMARY.

KEY TRIAL CONTINUES

[1](#)3. (SBU) The trial of former BIN Deputy Muchdi continued on September 16 in South Jakarta District Court (Refs A and B). DepPol/C attended the trial as an observer in the packed courtroom. Former Garuda Airlines Director Indra Setiawan, chastened after serving eight months in prison for his unwitting role in abetting the murder, was forthcoming about his contacts with Muchdi and other BIN officers. Explaining why he decided to be more truthful, Indra told the court that he "could not reveal the reason" he lied during his trial but that "I have gone through a lot because of this case so I decided to tell the truth."

MEETINGS AT INTELLIGENCE HQ

[1](#)4. (SBU) The September 16 proceedings were quite dramatic.

Indra related how two months before the murder, Pollycarpus Priyanto, Munir's convicted murderer, asked to meet with Indra at a hotel to present him with a letter signed by another BIN deputy, M. As'ad, requesting that Pollycarpus be assigned to corporate security. The letter cited the "fight against the war on terrorism." Indra issued the letter, which allowed Pollycarpus to fly with Munir on a Garuda flight from Jakarta to Amsterdam on September 7. This gave Pollycarpus the opening to poison Munir with arsenic.

15. (SBU) Continuing, Indra recounted that a couple of months after the murder he asked Pollycarpus to set up a meeting with As'ad so that he could meet the person who gave the original order. Pollycarpus subsequently arranged for Indra to meet with As'ad at BIN headquarters, a meeting which Muchdi also attended. Indra said he talked with Muchdi a second time in a hotel restroom, but did not discuss the letter nor Munir in either meeting. Muchdi acknowledged the two encounters.

16. (C) While this link to Muchdi is circumstantial, prosecutors have other evidence and witnesses which might provide a direct link between Muchdi and the murder.

-- For one, according to the Fact-finding Team report ordered in 2005 by President Yudhoyono (still not publicly released), police have records of 35 cell phone calls between Muchdi and Pollycarpus in the months following Munir's murder.

-- Secondly, a still active BIN agent, Budi Santoso, has

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testified via affidavit (which sources passed to us) that Muchdi ordered him to pay Pollycarpus 10 million rupiah in cash (USD9,000) in Muchdi's meeting room at BIN in June 2004.

Later, Muchdi ordered him to make two or three small payments of 3-4 million rupiah each to Pollycarpus after police began investigating him for the murder. Budi further stated in his affidavit that Pollycarpus called Budi four times from August 23 to September 9, 2004, (two days after Pollycarpus murdered Munir) asking where he could find Muchdi.

17. (C) While the Attorney General's Office (AGO) believes the affidavit will stand up in court, the judges on September 16 said they will call Budi to testify. Budi is now on official assignment with BIN in Pakistan. One human rights source who has spoken to BIN agents sympathetic to Munir told DepPol/C that these sources said Budi is afraid for his life if he testifies in court. This source added that BIN is divided over the case.

18. (C) Indra also mentioned Hendropriyono, BIN chief at the time of the murder. He said Pollycarpus sometimes referred to Hendropriyono by the code word "Joker." Police investigators told our human rights sources in January 2007 that several BIN officers had told police that Hendropriyono had chaired meetings at which plans were discussed to murder Munir and other human rights activists (Ref C). However, these witnesses were afraid to formally testify. While there is no concrete evidence linking Hendropriyono to the murder, one observer commented that it is hard to believe Muchdi could have carried this out without Hendropriyono's permission.

WIDOW FACES DOWN ACCUSED MASTERMIND

19. (SBU) Munir's widow also testified. Suciwati took the stand to bolster the prosecution's assertions that Muchdi's motive for the murder was revenge against Munir for his reports linking Muchdi to the 1997-98 abductions and disappearances of student and pro-democracy activists. Muchdi was head of Army Special Forces (Kopassus) but was removed from that post because of Kopassus' role in the abductions.

¶10. (SBU) Muchdi cross-examined Suciwati directly but Suciwati responded calmly, pointing out to Muchdi that he was head of Kopassus at the time Munir got word that Kopassus was about to kidnap him, forcing them to hide. Muchdi had maintained in earlier testimony that he was not with Kopassus at the time of the disappearances. In fact, the abductions began when Prabowo Subianto was Kopassus Commander, as early as 1996, but most abductions took place when Prabowo's protegee, Muchdi, replaced Prabowo in March 1998 (see septel).

¶11. (SBU) Suciwati spoke for some time related to the issue of motive. She recounted an atmosphere of what she characterized as "terror" which she said surrounded Munir and his family because of his investigations into major human rights violations committed by security forces in the 1980s and 90s. For example, in August 2001, a bomb was found near the home of Munir's parents. In 2003, a bomb was found at Munir's home, at a time when Suciwati was home alone with her two small children. In March 2002, vigilantes ransacked the human rights office Kontras which was headed by Munir. In November 2004, Suciwati received a package at home with a chicken's head and feet, with a note, "Do not connect the Indonesian Army to the death of Munir. You want to end up like this?"

¶12. (SBU) Suciwati testified that Munir was on his way to the Netherlands at the time of his murder to write a thesis

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on the 1997-98 disappearances. Ironically, one of Muchdi's lawyers, Desmond Mahesa, was one of the students abducted at that time. Questioned by Desmond about what she knew about the disappearances, she said she remembered that Desmond was one of the persons freed because of Munir's intervention.

PANDORA'S BOX

¶13. (C) The Attorney General's Office (AGO) is steadily tightening the noose in its case against Muchdi but much will still depend on whether other BIN witnesses testify or if Budi Santoso's affidavit is accepted by judges. While police and the AGO maintain publicly that Muchdi led the conspiracy, human rights activists will not be satisfied unless Hendropriyono is also brought to trial. Were Muchdi himself to reveal all he knows, a Pandora's box of human rights violations could be opened for public scrutiny. This case remains a landmark not only because of the need for justice for Munir but also because of all the other human rights abuses allegedly committed by those connected to it.

HUME